

MARGER, JOHNSON, McCOLL & STOLOWITZ, P.C.  
1030 S.W. Morrison  
Portland, Oregon 97205

2  
7-10-01  
PATENT APPLICATION  
ATTORNEY DOCKET NO. 4164-6

2  
JC978 U.S. PRO  
09/827870  
04/06/01  


IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): ACRES, GINSBURG, WIEBENSON

Serial No.: 08/465,717

Examiner: J. Schaaf

Filing Date: June 6, 1995

Group Art Unit: 3304

Title: METHOD AND APPARATUS FOR OPERATING NETWORKED GAMING  
DEVICES

ASSISTANT COMMISSIONER OF PATENTS  
Washington, D.C. 20231

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

This Information Disclosure Statement is submitted:

under 37 CFR 1.97 (b), or  
(Within three months of filing national application; or date of entry of International application; or before mailing date of first office action on the merits; whichever occurs last)  
 under 37 CFR 1.97 (c) together with either a:  
 Certification under 37 CFR 1.97 (e), or  
 a \$200.00 fee under 37 CFR 1.17 (p), or  
 under 37 CFR 1.97 (d) together with either:  
 Certification under 37 CFR 1.97 (e),  
 A petition requesting consideration  
 a \$130.00 petition fee set forth in 37 CFR 1.17 (i)(1).  
(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

Please charge to Deposit Account 13-1703 the sum of None. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 13-1703 pursuant to 37 CFR 1.25. A duplicate copy of this sheet is enclosed.

Applicant(s) submit herewith Form PTO 1449- Information Disclosure Citation together with copies of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

It is requested that the information disclosed herein be made of record in this application.

Respectfully submitted,

By 

Alan T. McCollom  
Attorney for Applicant  
Reg. No. 28,881

Date: February 11, 1997

**PATENT APPLICATION**

Atty. Docket No.: 4164-6  
Applicant: Acres Gaming Inc.

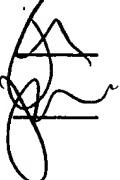
Serial No. 08/465,717

Filing Date: June 6, 1995

Group: 3304

**INFORMATION DISCLOSURE CITATION  
FORM PTO-1449 (Modified)**

**U.S. PATENT DOCUMENTS**

<u>Exam Init</u>	<u>Ref</u>	<u>Document Number</u>	<u>Issue Date</u>	<u>Name</u>	<u>Filing Date</u>
	_____	5,580,309	12/3/96	Piechowiak	2/22/94
	_____	5,586,936	12/24/96	Bennett	9/22/94

**FOREIGN PATENT DOCUMENTS**

<u>Application Number</u>	<u>Date</u>	<u>Filing Date</u>	<u>Inventor</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**OTHER DOCUMENTS**

Exam  
Init   Ref   (Including Author, Title, Date, Pertinent Pages, Etc.)

Examiner: \_\_\_\_\_

Date Considered: \_\_\_\_\_

MARGER, JOHNSON, MCCOLLOM & STOLOWITZ, P.C.  
1030 S.W. Morrison  
Portland, Oregon 97205

PATENT APPLICATION  
ATTORNEY DOCKET NO. 4164-6

IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): ACRES, GINSBURG, WIEBENSON

Serial No.: 08/465,717

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Filing Date: June 6, 1995

Group Art Unit: 3304

Title: METHOD AND APPARATUS FOR OPERATING NETWORKED GAMING  
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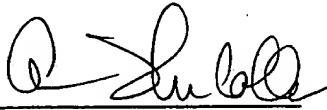
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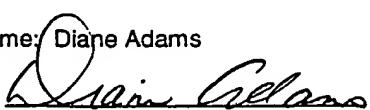
Respectfully submitted,

By 

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington D.C. 20231

Date of Deposit: October 18, 1996

Typed Name: Diane Adams

Signature 

Alan T. McCollom  
Attorney for Applicant  
Reg. No. 28,881

Date: October 18, 1996

PATENT APPLICATION

Atty. Docket No.: 4164-6  
Applicant: Acres Gaming Inc.

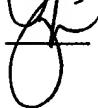
Serial No. 08/465,717

Filing Date: June 6, 1995

Group: 3304

INFORMATION DISCLOSURE CITATION  
FORM PTO-1449 (Modified)

U.S. PATENT DOCUMENTS

<u>Exam Init</u>	<u>Ref</u>	<u>Document Number</u>	<u>Issue Date</u>	<u>Name</u>	<u>Class</u>	<u>Sub- Class</u>	<u>Filing Date</u>
	_____	5,536,016	7/16/96	Thompson	273	269	9/26/94
	_____	5,550,359	8/27/96	Bennett	235	382	9/14/94
	_____	5,551,692	9/3/96	Pettitt et al.	273	143R	8/2/94

FOREIGN PATENT DOCUMENTS

<u>Application Number</u>	<u>Date</u>	<u>Filing Date</u>	<u>Inventor</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

OTHER DOCUMENTS

Exam  
Init   Ref   (Including Author, Title, Date, Pertinent Pages, Etc.)

Examiner: \_\_\_\_\_

Date Considered: \_\_\_\_\_

PATENT  
Attorney's Do. No. : 4164-6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): ACRES, GINSBURG, WIEBENSON

Serial No.: 08/465,717

Examiner: J. Schaaf

Filing Date: June 6, 1995

Group Art Unit: 3304

Title: METHOD AND APPARATUS FOR OPERATING NETWORKED GAMING  
DEVICES

Box DD  
Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**CERTIFICATION OF FILING INFORMATION DISCLOSURE STATEMENT  
(37 CFR 1.97(e))**

I, Alan T. McCollom, the person signing below certify that:

- that each item of information contained in the information disclosure statement was cited in a communication for a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement.
- that no information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in § 1.56(c) more than three months prior to the filing of the statement.

Applicant respectfully requests consideration of the accompanying information disclosure statement.

The persons making this certification is the attorney who signs below on the basis of the information in the attorney's file.

Submitted By:

  
\_\_\_\_\_  
Alan T. McCollom  
Reg. No. 28,881  
Attorney for Applicant(s)

MARGER, JOHNSON, McCOLLOM & STOLOWITZ, P.C.  
1030 S.W. Morrison  
Portland, Oregon 97205

PATENT APPLICATION  
ATTORNEY DOCKET NO. 4164-6

IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Acres

Serial No.: 08/465,717

Filing Date: 6/6/95

Group Art Unit: 3304

Title: COMPUTER NETWORK FOR CONTROLLING AND MONITORING GAMING DEVICES

BOX DD  
ASSISTANT COMMISSIONER OF PATENTS  
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

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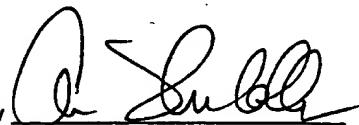
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: ASSISTANT Commissioner of Patents, Washington D.C. 20231

Date of Deposit: 6/27/95

Typed Name: Rayce Boucher

Signature Rayce Boucher

Respectfully submitted,

By   
Alan T. McCollom

Attorney for Applicant  
Reg. No. 28,881

Date:

MARGER, JOHNSON, McCOLLUM & STOLOWITZ, P.C.  
650 American Bank Building  
621 S.W. Morrison  
Portland, Oregon 97205

PATENT APPLICATION  
ATTORNEY DOCKET NO. 4164-6

IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): ACRES, GINSBURG, WIEBENSON

Serial No.: 08/465,717

Examiner:

Filing Date: June 6, 1995

Group Art Unit: 3304

Title: METHOD AND APPARATUS FOR OPERATING NETWORKED GAMING DEVICES

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The above-referenced application is a division of U.S. Serial No. 08/322,172, filed August 12, 1994. It includes the same disclosure as U.S. patent application Serial No. 08/322,172.

It is understood that the listed references will be considered in the examination of the application and that no separate copies of the same prior art are required to be provided since they were previously cited or transmitted in the foregoing prior application. 37 CFR Section 1.98(d). A copy of form 1449 from the prior application is enclosed.

It is requested that the information disclosed herein be made of record in this application.

Respectfully submitted,

By   
Alan T. McCollom

Attorney for Applicant  
Reg. No. 28,881

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington D.C. 20231

Date of Deposit: 9/26/95

Typed Name: Rayce Boucher

Signature Rayce Boucher

Date: Sep. 26, 1995

MARGER, JOHNSON, McCOLLOM & STOLOWITZ, P.C.  
1030S.W. Morrison  
Portland, Oregon 97205

PATENT APPLICATION  
ATTORNEY DOCKET NO. 4164-6

IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): ACRES, WEIBENSON, GINSBURG

Serial No.: 08/465,717

Examiner:

Filing Date: 6/6/95

Group Art Unit: 3304

Title: COMPUTER NETWORK FOR CONTROLLING AND MONITORING GAMING DEVICES

Box DD  
THE COMMISSIONER OF PATENTS & TRADEMARKS  
Washington, D.C. 20231

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

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Respectfully submitted,

By 

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Date of Deposit: 5/13/96

Typed Name: Rayce Bowker

Signature Rayce Bowker

Alan T. McCollom  
Attorney for Applicant  
Reg. No. 28,881

Date:

**IN THE**  
**UNITED STATES PATENT AND TRADEMARK OFFICE**

**Inventor(s):** John F. Acres et al.

**Serial No.:** 08/922,046

**Examiner:** J. Schaaf

**Filing Date:** September 2, 1997

**Group Art Unit:** 3711

**Title: COMPUTER NETWORK FOR CONTROLLING AND MONITORING GAMING DEVICES**

**VIA HAND DELIVERY**

Examiner J. Schaaf, Group Art Unit 3711  
 ASSISTANT COMMISSIONER OF PATENTS  
 Washington, D.C. 20231

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Certification under 37 CFR 1.97 (e), or

a \$240 fee under 37 CFR 1.17 (p), or

under 37 CFR 1.97 (d) together with either:

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A petition requesting consideration

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It is requested that the information disclosed herein be made of record in this application.

Respectfully submitted,

MARGER JOHNSON & McCOLLOM, P.C.

  
 Stephen S. Ford  
 Reg. No. 35,139

MARGER JOHNSON & McCOLLOM, P.C.  
 1030 SW Morrison Street  
 Portland, OR 97205  
 (503) 222-3613

MARGER JOHNSON & MCCOLLOM, P.C.  
1030 S.W. Morrison  
Portland, Oregon 97205

PATENT APPLICATION  
Atty. Do. No. 4164-55

IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Acres, Ginsburg, Wiebensen

Serial No.: 08/922,046

Examiner: James Schaaf

Filing Date: September 2, 1997

Group Art Unit: 3711

Title: COMPUTER NETWORK FOR CONTROLLING AND MONITORING GAMING DEVICES

Hand Delivered to:

ASSISTANT COMMISSIONER OF PATENTS  
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Applicant hereby petitions for the consideration of the accompanying information disclosure statement. 37 CFR 1.97(d)(2)

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return postcard

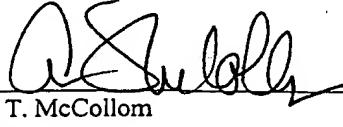
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Respectfully submitted,

By   
Alan T. McCollom

Reg. No. 28.881

Date: December 22, 1998

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): John F. Acres et al.

Serial No.: 08/922,046

Examiner: J. Schaaf

Filing Date: September 2, 1997

Group Art Unit: 3711

Title: COMPUTER NETWORK FOR CONTROLLING AND MONITORING GAMING DEVICES

VIA HAND DELIVERY

Examiner J. Schaaf, Group Art Unit 3711  
ASSISTANT COMMISSIONER OF PATENTS  
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT TRANSMITTAL SHEET

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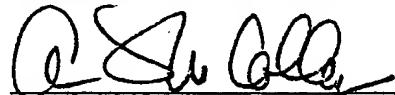
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MARGER JOHNSON & McCOLLOM, P.C.



Alan T. McCollom  
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MARGER JOHNSON & McCOLLOM, P.C.  
1030 SW Morrison Street  
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(503) 222-3613

PATENT APPLICATION  
Do. No. 4164-55

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): John F. Acres et al.

Serial No.: 08/922,046

Examiner: J. Schaaf

Filing Date: September 2, 1997

Group Art Unit: 3711

Title: COMPUTER NETWORK FOR CONTROLLING AND MONITORING  
GAMING DEVICES

VIA HAND DELIVERY

Examiner J. Schaaf  
Group Art Unit 3711  
ASSISTANT COMMISSIONER OF PATENTS  
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

The following documents were generated in a patent infringement civil action pending in the US District Court for the District of Nevada, *Mikohn Gaming Corporation v. Acres Gaming, Inc.; Acres Gaming, Inc. v. Mikohn Gaming Corporation, New York, New York Hotel & Casino, LLC, Casino Data Systems, and Sunset Station Hotel and Casino*, CV-S-97-1383 ("the civil action") and are submitted pursuant to 37 CFR 1.56:

**Volume IA**



- (a) Casino Data Systems and Sunset Station Hotel & Casino's ("CDS") Motion for Summary Judgment of Invalidity of U.S. Patent No. 5,752,882;
- (b) CDS' Memorandum of Points and Authorities in Support of CDS' Motion for Summary Judgment of Invalidity of U.S. Patent No. 5,752,882 [Filed *In Camera* – Subject to Protective Order];
- (c) CDS' Supplemental Brief Regarding CDS' First Motion for Summary Judgment of Invalidity;
- (d) CDS' Reply Memorandum in Support of CDS' Motion for Summary Judgment of Invalidity of U.S. Patent 5,752,882;

**Volume IB**

(e) Casino Data Systems and Sunset Station Hotel & Casino's Evidence in Support of CDS' Motion for Summary Judgment of Invalidity and Opposition to Acres' Motion for Preliminary Injunction ("CDS Exhibits") [Filed *In Camera* – Subject to Protective Order];

**Volume II**

(f) Acres' Response to the Proposed Findings of Fact of Casino Data Systems Regarding CDS' Motion for Summary Judgment of Invalidity;

(g) Acres Gaming, Inc.'s Opposition to Casino Data Systems' and Sunset Station Hotel and Casino's Motion for Summary Judgment;

(h) Acres Gaming, Inc.'s Supplement to its Opposition to Casino Data Systems' and Sunset Station Hotel and Casino's Motion for Summary Judgment;

(i) Acres Gaming, Inc.'s Second Supplement to its Opposition to Casino Data Systems' and Sunset Station Hotel and Casino's Motion for Summary Judgment;

(j) Acres Gaming, Inc.'s Third Supplement to its Opposition to Casino Data Systems' and Sunset Station Hotel and Casino's Motion for Summary Judgment;

**Volume III**

(k) Expert Report of W. Alan Jorgensen Pursuant to Federal Rule of Civil Procedure 26(a)(2);

(l) Expert Report of Samuel Wolff Pursuant to Federal Rule of Civil Procedure 26(a)(2);

(m) Transcript of Motion for Summary Judgment of Invalidity of U.S. Patent No. 5,752,882 Before the Honorable Howard D. McKibben on January 19, 1999;

**Volume IVA**

(n) Deposition of Disclosure, Inc. and Exhibits; and

**Volume IVB**

(o) Additional Exhibits to deposition of Disclosure, Inc.

Acres Gaming, Inc. ("Acres"), the patentee in the civil action, is the assignee of the present application. In the list above, items in Volumes IA and IB are documents that were filed in support of a summary judgment motion by Casino Data Systems ("CDS"), the accused infringer in the civil action. The CDS motion contends that US Patent No. 5,752,882 ("the '882 patent") is invalid in view of a publication, namely Acres Gaming Incorporated Form SB-2 filed with the Securities and Exchange Commission on September 20, 1993 ("Form SB-2"), which is the only reference listed on the attached Form PTO-1449. Items in Volume II were filed by Acres in opposition to the CDS motion. Item (m) in Volume III is the transcript of the hearing on the CDS motion in which Judge Howard D. McKibben, the US District Court judge in the civil action, denied the CDS motion in a ruling from the bench. Items (k) and (l) in Volume III are the reports of experts retained by CDS, and Volumes IVA and IVB are a deposition, and accompanying exhibits, taken by CDS—all of which were generated in the civil action after denial of the CDS motion and in further support of CDS's position that Form SB-2 was published prior to the critical date for the '882 patent, namely October 12, 1993.

Because of a protective order entered in the civil action, Exhibits B, K, Y, and AA to item (e), Volume IB, are omitted as is Casino Data Systems and Sunset Station Hotel & Casino's Proposed Findings of Fact in Support of Casino Data Systems' Motion for Summary Judgement of Invalidity of U.S. Patent No. 5,752,882 [Filed *In Camera* – Subject to Protective Order]. In addition, item (b), Volume IA, is redacted in the same manner as it was published by CDS on the following web page: [http://www.csds.com/PressRelease/LegalPres/Acres\\_dismissal.htm](http://www.csds.com/PressRelease/LegalPres/Acres_dismissal.htm).

The present application and the '882 patent claim priority from the same grandparent application, namely Serial No. 322,172, filed October 12, 1994, now US Patent No. 5,655,961, and all of the applications share the same disclosure. The present application and the '882 patent therefore have the same October 12, 1993 critical date for the purpose of determining prior art.

Until now, Acres has not disclosed Form SB-2 in any of its pending applications in view of its belief that Form SB-2 was not published prior to the critical date and that even if it was, it did not affect patentability of any of the claims in its pending applications. Acres' belief is well supported in its enclosed opposition papers, particularly Volume II, item (g), pp. 12-16, and item (j). And Acres to this day believes that Form SB-2 was not published before the critical date in the '882 patent and that even if it was it would not affect patentability of the claims.

Acres' decision to make this disclosure even after denial of CDS's summary judgement motion is prompted in view of CDS's continued recent efforts--i.e., expert reports, Volume III items (k) and (l), received by Acres' attorneys on February 17, 1990, and the deposition of Disclosure, Inc., Volumes IVA and IVB, taken on February 25, 1999--to prove that Form SB-2 was published before the critical date.

Form SB-2 is attached as Exhibit T to item (e), in Volume IB. CDS's view of its relevance is set forth on pages 10-11 of item (b), in Volume IA. But even if Form SB-2 is considered to have been published before the critical date, it still does not affect patentability of any of the issued or pending Acres' claims, including those in the present application. As set forth in the Acres opposition papers—particularly Volume II, item (g), pp. 12-16, and item (j)—Form SB-2 does not disclose the invention nor does it enable a person with ordinary skill in the art to make and use it.

Applicant requests that the Examiner review the information submitted with this document and issue a notice of allowability.

Respectfully submitted,



Alan T. McCollom

Registration No. 28,881

MARGER, JOHNSON & McCOLLOM, P.C.  
1030 S.W. Morrison Street  
Portland, Oregon 97205  
(503) 222-3613

FORM PTO-892 (REV. 2-92) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE				SERIAL NO. 081322,172	GROUP ART UNIT 3304	ATTACHMENT TO PAPER NUMBER	3
NOTICE OF REFERENCES CITED				APPLICANT(S) Acres et al.			
U.S. PATENT DOCUMENTS							
*	DOCUMENT NO.	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE	
A	4283709	8/81	Lucero et al.	273	138A		
B	4335809	6/82	Wain	273	138A		
C	4679143	7/87	Hagiwara	273	138A		
D	5257179	10/93	DeMar	273	138A	10/91	
E	5280909	1/94	Tracy	273	138A	1/92	
F	5429361	6/95	Raven et al.	273	138A	9/91	
G	4258838	3/81	Roctola et al.	273	138A	1/81	
H	4467424	8/84	Hedges et al.	273	138A	8/84	
I	4652998	3/87	Koza et al.	273	138A	3/87	
J	4775937	10/88	Bell	273	138A	10/88	
K	5217224	6/93	Sincock	273	460	6/93	
FOREIGN PATENT DOCUMENTS							
*	DOCUMENT NO.	DATE	COUNTRY	NAME	CLASS	SUB-CLASS	PERTINENT SHTS. PP. DWG SPEC
L	2020986	1/93	AU	Bennett	273	434	
M	2211975	7/93	GB	McArthur	273	138A	
N	647234	7/92	AU	Okada	273	138A	
O							
P							
Q							
OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)							
	R						
	S						
	T						
	U						

FORM PTO-892 (REV. 2-82)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		SERIAL NO.	GROUP A PART UNIT	ATTACHMENT TO PAPER NUMBER	3	
NOTICE OF REFERENCES CITED				08 1322, 172	3304			
				APPLICANT(S)	Acres et. al.			
U.S. PATENT DOCUMENTS								
*	DOCUMENT NO.	DATE	NAME		CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE	
A	5 249 800	10/93	Hilgendorf et al.		273	138A	PTO	
B	5 370 306	12/94	Schulze et al.		273	138A	U.S. 04/06/01	
C							JC978 09/82 04/06/01	
D								
E								
F								
G								
H								
I								
J								
K								
FOREIGN PATENT DOCUMENTS								
*	DOCUMENT NO.	DATE	COUNTRY	NAME	CLASS	SUB-CLASS	PERTINENT SHTS. DWG.	PP. SPEC.
L				X				
M								
N								
O								
P								
Q								
OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)								
R								
S								
T								
U								

IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): John F. Acres et al.

Batch No.: R16

Serial No.: CPA of 08/922,046

Examiner: J. Schaaf

Filing Date: September 2, 1997

Group Art Unit: 3711

Title: COMPUTER NETWORK FOR CONTROLLING AND MONITORING GAMING DEVICES

VIA HAND DELIVERY

Examiner J. Schaaf, Group Art Unit 3711  
ASSISTANT COMMISSIONER OF PATENTS  
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Sir:

This Information Disclosure Statement is submitted:

under 37 CFR 1.97 (b), or

(Within three months of filing national application; or date of entry of International application; or before mailing date of first office action on the merits; whichever occurs last)

under 37 CFR 1.97 (c) together with either a:

Certification under 37 CFR 1.97 (e), or

a \$240 fee under 37 CFR 1.17 (p), or

under 37 CFR 1.97 (d) together with either:

Certification under 37 CFR 1.97 (e),

A petition requesting consideration

a \$130.00 petition fee set forth in 37 CFR 1.17 (i)(1).

(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

Please charge to Deposit Account 13-1703 the sum of None. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 13-1703 pursuant to 37 CFR 1.25. A duplicate copy of this sheet is enclosed.

Applicant(s) submit herewith Form PTO 1449- Information Disclosure Citation together with copies of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

It is requested that the information disclosed herein be made of record in this application.

Respectfully submitted,

MARGER JOHNSON & McCOLLOM, P.C.

  
\_\_\_\_\_  
Alan T. McCollom  
Reg. No. 28,881

MARGER JOHNSON & McCOLLOM, P.C.  
1030 SW Morrison Street  
Portland, OR 97205 (503) 222-3613

PATENT APPLICATION  
Do. No. 4164-55

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): John F. Acres et al.

Batch No.: R16

Serial No.: CPA of 08/922,046

Examiner: J. Schaaf

Filing Date: September 2, 1997

Group Art Unit: 3711

Title: COMPUTER NETWORK FOR CONTROLLING AND MONITORING  
GAMING DEVICES

VIA HAND DELIVERY

Examiner Schaaf  
Group Art Unit 3711  
Commissioner of Patents and Trademarks  
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

The following are additional documents that have been filed in the civil action described in the Information Disclosure Statement filed in this application on April 2, 1999, and are submitted pursuant to 37 CFR 1.56:

Volume V

- CDS' THIRD MOTION AND MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF CDS' MOTION FOR SUMMARY JUDGMENT OF INVALIDITY OF U.S. PATENT NO. 5,752,882 (ON-SALE BAR)
- EXHIBITS IN SUPPORT OF CDS' MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF CDS' THIRD MOTION FOR SUMMARY JUDGMENT OF INVALIDITY OF U.S. PATENT NO. 5,752,882 (ON-SALE BAR)

Volume VI

- ACRES GAMING'S OPPOSITION TO CDS'S THIRD MOTION FOR SUMMARY JUDGMENT OF INVALIDITY OF U.S. PATENT NO. 5,752,882 (ON-SALE BAR)

Volume VII

- DEPOSITION OF JOSE VEGA DATED JANUARY 25, 1999 WITH EXHIBIT NOS. 191, 193, 194, 195, 197, 198

In a May 24, 1999 telephone conversation between the Examiner and the undersigned, consideration of the information submitted in the April 2 IDS was discussed. Because a notice of allowance issued in this application on March 29, 1999, applicant agreed to file a Continued Prosecution Application, which is submitted with this document. As discussed, this would permit the Examiner to consider both the information in the April 2 IDS ("the first motion papers") and documents from the civil action relating to a second 102(b) motion filed by CDS ("the second motion papers"). Some of these second motion papers are contained in the accompanying Volumes V and VI, but CDS has not yet filed a reply to Acres' opposition (Volume VI) because the court hearing the civil action has suspended briefing on the second 102(b) motion. The suspension was in response to a request by CDS to permit it to submit additional material and arguments in yet another 102(b) summary judgment motion. Because it is unclear when—or even if—CDS will file a reply in the second 102(b) motion, applicant decided to submit this IDS disclosing the second motion papers without further delay.

The second motion papers largely rehash the issues dealt with in the first motion papers. Many of the exhibits in the second motion papers are contained in the first motion papers: Exhibits H, I, J, L, O, P, Q, R, S, T, Y, and AA in the second motion papers are all included in Volume IB submitted with the April 2 IDS. The new exhibits in the second motion papers relate to the same issues, as can be seen by reviewing CDS's briefs from both the first and second motion papers. Moreover, many of the exhibits from the second motion papers could have been presented when the first motion was filed, but were not.

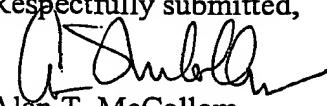
Exhibit K from the EXHIBITS IN SUPPORT OF CDS' MEMORANDUM, etc. (in the accompanying Volume V) and Exhibit I from ACRES GAMING'S OPPOSITION, etc. (in the accompanying Volume VI) are not included to comply with a protective order entered in the civil action. In addition, a portion of page 22 in ACRES GAMING'S OPPOSITION, etc. quotes from Exhibit I and is therefore redacted to comply with the protective order.

Volume VII is the January 25, 1999 transcript of the deposition of Jose Vega and the exhibits thereto as noted on the attached Form 1449. If the Examiner would like to see additional exhibits, applicant will provide them. Please address any questions or requests to the undersigned attorney for applicant.

Finally, applicant would like to supplement a statement made in an Information Disclosure Statement filed in this application (serial no. 08/922,046) on December 23, 1999. On page 1 of the attachment to the IDS, applicant stated that: "the items on page 1 and 2 were previously submitted and reviewed by Examiner Schaff in U.S. Patent Application Serial No.

08/465,717, filed on June 6, 1995, now U.S. Patent No. 5,836,817." Applicant has since discovered that the IDS with which the items were submitted in the '717 application on June 19, 1998, and again on July 20, 1998, was apparently not associated with the file in the US Patent and Trademark Office. These items consequently do not appear to have been reviewed by the Examiner in the application issuing as the '817 patent.

Applicant requests the that the Examiner review the information submitted with this document and issue a notice of allowability.

Respectfully submitted,  
  
Alan T. McCollom  
Reg. No. 28,881

MARGER JOHNSON & McCOLLOM, P.C.  
1030 SW Morrison Street  
Portland, Oregon 97205 (503) 222-3613

#18  
12/17/99

PATENT APPLICATION  
ATTORNEY DO. NO. 4164-55

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): John F. Acres et al.

Serial No.:

CPA of 08/922,046

Filing Date: June 24, 1999

Group Art Unit: 3711

**Title: COMPUTER NETWORK FOR CONTROLLING AND MONITORING GAMING  
DEVICES**

VIA HAND DELIVERY

ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Sir:

This Information Disclosure Statement is submitted:

under 37 CFR 1.97 (b), or

(Within three months of filing national application; or date of entry of International application; or before mailing date of first office action on the merits; whichever occurs last)

under 37 CFR 1.97 (c) together with either a:

Statement under 37 CFR 1.97 (e), or

a \$240 fee under 37 CFR 1.17 (p), or

(After mailing of first Office Action, but prior to Notice of Allowance or Final Office Action)

under 37 CFR 1.97 (d) together with either:

Statement under 37 CFR 1.97 (e),

Applicant hereby petitions for the consideration of the accompanying information disclosure statement (37 C.F.R. §1.97(d)(ii)).

a \$130.00 petition fee set forth in 37 CFR 1.17 (i)(1).

(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

Applicant(s) submit herewith Form PTO 1449- Information Disclosure Citation together with copies of patents and publications of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

It is requested that the information disclosed herein be made of record in this application.

Any deficiency or overpayment should be charged or credited to deposit account number 13-1703.

Respectfully submitted,

MARGER, JOHNSON & McCOLLOM, P.C.  
1030 S.W. Morrison Street  
Portland, Oregon 97205  
(503) 222-3613

Alan T. McCollom  
Registration No. 28,881

PATENT APPLICATION  
Attorney's Do. No. 4164-55

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: John F. Acres et al.

Application No.: CPA of 08/922,046

Group Art Unit: 3711

Filed: June 24, 1999

For: **COMPUTER NETWORK FOR CONTROLLING AND MONITORING  
GAMING DEVICES**

Hand Delivered to:

Assistant Commissioner for Patents  
Washington, DC 20231

**Status Inquiry**

More than 4 months have passed since the filing of this Request for Continuing Prosecution Application on June 24, 1999. No communication has been received from the Patent and Trademark Office indicating action on this application.

Kindly advise the undersigned of the present status of this application, by checking the appropriate box below. A stamped return-addressed envelope is provided.

Respectfully submitted,



Alan T. McCollom  
Registration No. 28,881

MARGER, JOHNSON & McCOLLUM, P.C.  
1030 S.W. Morrison Street  
Portland, Oregon 97205  
(503) 222-3613

**STATUS INQUIRY REPLY**

Application Serial No. 08/922,046 is currently

Assigned to Group 3711 and awaits:

Action by the Examiner.

Applicant's Response to the Office Action mailed \_\_\_\_\_.

IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): John F. Acres et al.

Serial No.: CPA of 08/922,046

Filing Date: June 24, 1999

Group Art Unit: 3711

Title: COMPUTER NETWORK FOR CONTROLLING AND MONITORING GAMING  
DEVICES

VIA HAND DELIVERY

ASSISTANT COMMISSIONER OF PATENTS  
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Sir:

This Information Disclosure Statement is submitted:

under 37 CFR 1.97 (b), or

(Within three months of filing national application; or date of entry of International application; or before mailing date of first office action on the merits; whichever occurs last)

under 37 CFR 1.97 (c) together with either a:

Certification under 37 CFR 1.97 (e), or

a \$240 fee under 37 CFR 1.17 (p), or

under 37 CFR 1.97 (d) together with either:

Certification under 37 CFR 1.97 (e),

A petition requesting consideration

a \$130.00 petition fee set forth in 37 CFR 1.17 (i)(1).

(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

Please charge to Deposit Account 13-1703 the sum of None. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 13-1703 pursuant to 37 CFR 1.25.

Applicant(s) submit herewith Form PTO 1449- Information Disclosure Citation together with copies of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

It is requested that the information disclosed herein be made of record in this application.

Respectfully submitted,



Alan T. McCollom  
Registration No. 28,881

## INFORMATION DISCLOSURE STATEMENT

The following are additional documents that have been filed in the civil action described in the Information Disclosure Statements filed in the prior application on April 2, 1999, and with the Request for Continued Prosecution Application filing on June 24, 1999, and are submitted pursuant to 37 CFR 1.56:

### Volume VIII

- CDS MOTION AND MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF CDS' MOTION FOR SUMMARY JUDGMENT OF INVALIDITY OF US PATENT NO. 5,752,882 (ON-SALE BAR) [FILED *UNDER SEAL* -- SUBJECT TO PROTECTIVE ORDER];
- PROPOSED FINDINGS OF FACTS IN SUPPORT OF CDS' MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF CDS' THIRD MOTION FOR SUMMARY JUDGMENT OF INVALIDITY OF U.S. PATENT NO. 5,752,882 (ON-SALE BAR) [FILED *UNDER SEAL* -- SUBJECT TO PROTECTIVE ORDER]; AND
- EXHIBITS IN SUPPORT OF CDS' MOTION AND MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF CDS' MOTION FOR SUMMARY JUDGMENT OF INVALIDITY OF U.S. PATENT NO. 5,752,882 (ON-SALE BAR), WITH AFFIDAVIT OF GREGORY C. SCHODDE [FILED *UNDER SEAL* -- SUBJECT TO PROTECTIVE ORDER].

Volumes IA through IVB were submitted in an IDS in the prior application on April 2, 1999, and relate to a first motion for summary judgment based on prior publications and on sale bar under Section 102. The court denied this motion in a ruling from the bench during the hearing, Volume III, item (m).

Volumes V through VII were submitted with the Request for Continuing Prosecution Application on June 24, 1999. Volumes V through VII relate to a second motion for summary judgment, again asserting invalidity resulting from on sale activities before the critical date. This motion largely rehashes the evidence presented in the first motion.

Volume VIII is submitted with this IDS. Volume VIII was received by the undersigned on August 9, 1999. It is a resubmission of the motion contained in Volumes V through VII.

The summary judgment motions and related papers in Volumes IA through VIII reflect only two of nine summary judgement motions filed to date by CDS. The court has

TO SEPARATE, HOLD TOP AND BOTTOM EDGES, SNAP-APART AND DISCARD CARBON

FORM PTO-892 (REV. 2-82)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	SERIAL NO.	GROUP/ART UNIT	ATTACHMENT TO PAPER NUMBER
NOTICE OF REFERENCES CITED		081322,172	3304	
		APPLICANT(S)	Acres et. al.	

U.S. PATENT DOCUMENTS

*	DOCUMENT NO.	DATE	NAME	CLASS	SUB-CLASS	FILING DATE APPROPRIATE
A	5249800	10/93	Hilgendorf et al.	273	138A	
B	5370306	12/94	Schulze et al.	273	138A	
C						
D						
E						
F						
G						
H						
I						
J						
K						

FOREIGN PATENT DOCUMENTS

*	DOCUMENT NO.	DATE	COUNTRY	NAME	CLASS	SUB-CLASS	PERTINENT SHTS. DWG.
L				X			
M							
N							
O							
P							
Q							

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

R	
S	
T	
U	

**Notice of References Cited**

Application No. <b>08/922,046</b>	Applicant(s) <b>Acres et al.</b>	
Examiner <b>J. Harrison</b>	Group Art Unit <b>3713</b>	Page 1 of 1

**U.S. PATENT DOCUMENTS**

*	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS
x	A US005580309A	12/1996	Piechowiak et al.	463	16
x	B 5,752,882	5/1998	Acres et al.	463	42
C					
D					
E					
F					
G					
H					
I					
J					
K					
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M					

**FOREIGN PATENT DOCUMENTS**

*	DOCUMENT NO.	DATE	COUNTRY	NAME	CLASS	SUBCLASS
N	AU-B-53370/86	10/1989	Australia	Frankovic et al.	463	16
O						
P						
Q						
R						
S						
T						

**NON-PATENT DOCUMENTS**

*	DOCUMENT (Including Author, Title, Source, and Pertinent Pages)	DATE
U		
V		
W		
X		

\* A copy of this reference is not being furnished with this Office action.  
(See Manual of Patent Examining Procedure, Section 707.05(a).)

166-240.00  
#12/Prv/r Art  
h.morgan  
5.04-99  
PATENT APPLICATION  
Do. No. 4164-55

(1) Casino Data Systems

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

MOV

**Inventor(s):** John F. Acres et al.

**Serial No.:** 08/922,046

**Examiner:** J. Schaaf

**Filing Date:** September 2, 1997

**Group Art Unit:** 3714 3713

**Title:** COMPUTER NETWORK FOR CONTROLLING AND MONITORING GAMING DEVICES

VIA HAND DELIVERY

Examiner J. Schaaf  
Group Art Unit 3711  
ASSISTANT COMMISSIONER OF PATENTS  
Washington, D.C. 20231

RECEIVED  
Publishing Division

APR 15 1999

**RECEIVED**  
APR 2 1999  
**Group 3700**

**INFORMATION DISCLOSURE STATEMENT**

The following documents were generated in a patent infringement civil action pending in the US District Court for the District of Nevada, *Mikohn Gaming Corporation v. Acres Gaming, Inc.; Acres Gaming, Inc. v. Mikohn Gaming Corporation, New York, New York Hotel & Casino, LLC, Casino Data Systems, and Sunset Station Hotel and Casino*, CV-S-97-1383 ("the civil action") and are submitted pursuant to 37 CFR 1.56:

**Volume IA**

- (a) Casino Data Systems and Sunset Station Hotel & Casino's ("CDS") Motion for Summary Judgment of Invalidity of U.S. Patent No. 5,752,882;
- (b) CDS' Memorandum of Points and Authorities in Support of CDS' Motion for Summary Judgment of Invalidity of U.S. Patent No. 5,752,882 [Filed *In Camera* – Subject to Protective Order];
- (c) CDS' Supplemental Brief Regarding CDS' First Motion for Summary Judgment of Invalidity;
- (d) CDS' Reply Memorandum in Support of CDS' Motion for Summary Judgment of Invalidity of U.S. Patent 5,752,882;

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**Volume IB**

(e) Casino Data Systems and Sunset Station Hotel & Casino's Evidence in Support of CDS' Motion for Summary Judgment of Invalidity and Opposition to Acres' Motion for Preliminary Injunction ("CDS Exhibits") [Filed *In Camera* – Subject to Protective Order];

**Volume II**

(f) Acres' Response to the Proposed Findings of Fact of Casino Data Systems Regarding CDS' Motion for Summary Judgment of Invalidity;

(g) Acres Gaming, Inc.'s Opposition to Casino Data Systems' and Sunset Station Hotel and Casino's Motion for Summary Judgment;

(h) Acres Gaming, Inc.'s Supplement to its Opposition to Casino Data Systems' and Sunset Station Hotel and Casino's Motion for Summary Judgment;

(i) Acres Gaming, Inc.'s Second Supplement to its Opposition to Casino Data Systems' and Sunset Station Hotel and Casino's Motion for Summary Judgment;

(j) Acres Gaming, Inc.'s Third Supplement to its Opposition to Casino Data Systems' and Sunset Station Hotel and Casino's Motion for Summary Judgment;

**Volume III**

(k) Expert Report of W. Alan Jorgensen Pursuant to Federal Rule of Civil Procedure 26(a)(2);

(l) Expert Report of Samuel Wolff Pursuant to Federal Rule of Civil Procedure 26(a)(2);

(m) Transcript of Motion for Summary Judgment of Invalidity of U.S. Patent No. 5,752,882 Before the Honorable Howard D. McKibben on January 19, 1999;

**Volume IVA**

(n) Deposition of Disclosure, Inc. and Exhibits; and

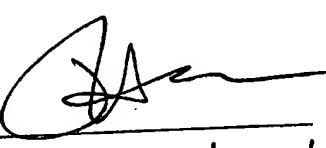
**Volume IVB**

(o) Additional Exhibits to deposition of Disclosure, Inc.

part #14

### OTHER DOCUMENTS

<u>Exam Init</u>	<u>Ref</u>	<u>(Including Author, Title, Date, Pertinent Pages, Etc.)</u>
	✓	CDS' THIRD MOTION AND MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF CDS' MOTION FOR SUMMARY JUDGMENT OF INVALIDITY OF U.S. PATENT NO. 5,752,882 (ON-SALE BAR)
	✓	EXHIBITS IN SUPPORT OF CDS' THIRD MOTION AND MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF CDS' MOTION FOR SUMMARY JUDGMENT OF INVALIDITY OF U.S. PATENT NO. 5,752,882 (ON-SALE BAR)
	✓	ACRES GAMING'S OPPOSITION TO CDS'S THIRD MOTION FOR SUMMARY JUDGMENT OF INVALIDITY OF U.S. PATENT NO. 5,752,882 (ON-SALE BAR)
	✓	DEPOSITION OF JOSE VEGA DATED JANUARY 25, 1999 WITH EXHIBIT NOS. 191, 193, 194, 195, 197, 198
	✓	R. Stäuble, MPL 4215 Interface, October 1991, pgs. 1-16.
	✓	BYTE, Hardware/Software Showcase, December 1992, pg. 308.
	✓	Inder S. Gopal and Adrian Segall, IEEE Transactions on Communications, "Dynamic Address Assignment in Broadcast Networks," January 1986, Vol. Com-34, No. 1, pgs. 32-37.
	✓	Fred Swainston, A Systems Approach to Programmable Controllers, 1992, pgs. ix-226.

Examiner: 

Date Considered: 4/24/2008

## OTHER DOCUMENTS

Exam  
Init

Ref

(Including Author, Title, Date, Pertinent Pages, Etc.)

CDS' THIRD MOTION AND MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF CDS' MOTION FOR SUMMARY JUDGMENT OF INVALIDITY OF U.S. PATENT NO. 5,752,882 (ON-SALE BAR)

EXHIBITS IN SUPPORT OF CDS' THIRD MOTION AND MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF CDS' MOTION FOR SUMMARY JUDGMENT OF INVALIDITY OF U.S. PATENT NO. 5,752,882 (ON-SALE BAR)

ACRES GAMING'S OPPOSITION TO CDS'S THIRD MOTION FOR SUMMARY JUDGMENT OF INVALIDITY OF U.S. PATENT NO. 5,752,882 (ON-SALE BAR)

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R. Stäuble, MPL 4215 Interface, October 1991, pgs. 1-16.

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Fred Swainston, A Systems Approach to Programmable Controllers, 1992, pgs. ix-226.

*All considered Paper #14*

Examiner: \_\_\_\_\_

Date Considered: \_\_\_\_\_

*Joe*  
*4/24/99*

denied six of those, including the one in Volumes IA through IVB, and has yet to decide the others.

Copies of all of the US patents, foreign patents, and publications listed on the attached Form 1449 are submitted herewith.

Any questions about this IDS can be addressed to the undersigned attorney at the phone number below.

Applicant requests the that the Examiner review the information submitted with this document and issue a notice of allowability.

Respectfully submitted,



Alan T. McCollom  
Registration No. 28,881

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): John F. Acres et al.

Serial No.: 08/922,046

Examiner: J. Harrison

Filing Date: CPA filed June 24, 1999

Group Art Unit: 3711

Title: COMPUTER NETWORK FOR CONTROLLING AND MONITORING GAMING DEVICES

ASSISTANT COMMISSIONER OF PATENTS  
Washington, D.C. 20231INFORMATION DISCLOSURE STATEMENT

Sir:

This Information Disclosure Statement is submitted:

 under 37 CFR 1.97 (b), or

(Within three months of filing national application; or date of entry of International application; or before mailing date of first office action on the merits; whichever occurs last)

 under 37 CFR 1.97 (c) together with either a: Certification under 37 CFR 1.97 (e), or a \$240 fee under 37 CFR 1.17 (p), or under 37 CFR 1.97 (d) together with either: Certification under 37 CFR 1.97 (e), A petition requesting consideration a \$130.00 petition fee set forth in 37 CFR 1.17 (i)(1).

(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

Please charge to Deposit Account 13-1703 the sum of None. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 13-1703 pursuant to 37 CFR 1.25. Applicant(s) submit herewith Form PTO 1449- Information Disclosure Citation together with copies of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

It is requested that the information disclosed herein be made of record in this application.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Asst. Commissioner of Patents and Trademarks, Washington D.C. 20231

Date: October 25, 2000

by Nancy A. Nash  
Nancy A. Nash

Respectfully submitted,

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TO SEPARATE, HOLD TOP AND BOTTOM EDGES, SNAP-APART AND DISCARD CARDBOARD

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U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		SERIAL NO.	GROUP ART UNIT	ATTACHMENT TO PAPER NUMBER
FORM PTO-892 (REV. 2-82)		081322,172	3304	
NOTICE OF REFERENCES CITED		APPLICANT(S) Acres et al.		

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	DOCUMENT NO.	DATE	NAME	CLASS	SUB-CLASS	FILING DATE APPROPRIATE
A	4283709	8/81	Lucero et al.	273	138A	
B	4335809	6/82	Wain	273	138A	
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D	5257179	10/93	DeMar	273	138A	10/91
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F	5429861	6/95	Raven et al.	273	138A	9/91
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O							
P							
Q							

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

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